UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,841	09/14/2000	Graham S. Tubbs	042390.P9741	1651

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Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025

EXAMINER
PATEL, NIKETA I

ART UNIT	PAPER NUMBER
2182	7

DATE MAILED: 10/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _18 July 2003_ .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-21_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-21_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

　　If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a) ☐ All b) ☐ Some * c) ☐ None of:

　　　1. ☐ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

　　a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) 　　　　　　4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 　5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . 　6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1, 3, 5, 6-21 rejected under 35 U.S.C. 102(b) as being anticipated by Selin et al.

U.S. Patent Number: 5,903,849 (hereinafter referred to as "*Selin*".)

3.   **Referring to claims 1**, *Selin* teaches an apparatus comprising: a first processor adapted to

execute a user application (see column 2 – lines 9-11, "a data terminal"); a second processor

adapted to process a wireless communication (see column 2 – lines 9-11, "radio telephone"),

wherein the second processor is capable of initiating the wireless communication independently

of the first processor (see column 2 – lines 33-53; column 3 – lines 10-33; column 5 – lines 61-

67; column 6 – lines 1-2); and an input port coupled to the first processor and the second

processor (see column 2 – lines 33-53; column 3 – lines 10-33; column 5 – lines 61-67.)

Although *Selin* teaches a fax message origination from the first processor (see column 2 –

lines 33-53; column 3 – lines 10-33), *Selin* is silent about the use of an input port to input the fax

message. However, this feature is deemed to be inherent to the *Selin* apparatus as the data

terminal of *Selin* is a personal computer (see column 5 – lines 7-28) which has an input port for

providing user with means to input data/commands.

4.   **Referring to claim 3**, *Selin* teaches an interface adapted to couple the first processor to

the second processor (see column 2 – lines 9-20; column 5 – lines 9-47; figure 2 – ADAPTOR.)

5.   **Referring to claim 5,** *Selin* teaches the interface comprises a serial bus (see column 5 –

lines 9-14.)

6.   **Referring to claim 6,** *Selin* teaches the interface is adapted to provide the second

processor user data form the input port (see column 2 – lines 33-53; column 3 – lines 10-33.)

7.   **Referring to claim 7,** *Selin* teaches a first memory coupled to the first processor (see

column 3 – lines 34-59; column 5 – lines 7-28); and a second memory coupled to the second

processor (see column 1 – lines 47-50.)

Although *Selin* teaches a data terminal (see column 5 – lines 7-28, Personal Computer),

Selin is silent about the various components of the Personal Computer, such as a memory.

However, memory is deemed to be inherent to the *Selin* apparatus as lines 34-59 of column 3

shows that a Personal Computer provides various programs and commands, which indeed

requires storage means. Also, a nonvolatile memory is essential for an operation of a Personal

Computer as it is used to store various types of data, which retains the data when power is

removed from it.

8.   **Referring to claim 8,** *Selin* teaches a first power source coupled to the first processor

(column 5 – lines 7-28); and a second power source coupled to the second processor (see column

– 6 lines 18-25.)

Although *Selin* teaches a data terminal (see column 5 – lines 7-28, Personal Computer),

Selin is silent about the various components of the Personal Computer. However, a power supply

is deemed to be inherent to the *Selin* apparatus as lines 33-53 of column 2 shows that the

Personal Computer is used to transmit a fax message, which would require the Personal

Computer to be powered up. Also, a power supply is essential for an operation of a personal a Personal Computer as it provides power to various components.

9.   **Referring to claim 9**, *Selin* teaches that the second processor comprises a digital signal processor (see column 5– lines 48-55.)

10.   **Referring to claim 10**, *Selin* teaches the first processor is further adapted to execute a user application independently of the second processor (see column 2 – lines 33-53; column 3 – lines 10-33.)

11.   **Referring to claim 11 and 17**, *Selin* teaches a system comprising: a non-volatile memory (see column 3 – lines 34-59; column 5 – lines 7-28; column 5 – lines 7-28, Personal Computer); an input port (see column 2 – lines 33-53; column 3 – lines 10-33; column 5 – lines 7-28, 61-67); an application subsystem coupled to the input port (see column 2 – lines 9-11, "a data terminal"; column 5 – lines 7-28, Personal Computer); and a wireless subsystem coupled to the input port and to the non-volatile memory (see column 2 – lines 9-11, "radio telephone".)

Although *Selin* teaches a fax message origination from the first processor, *Selin* is silent about the use of an input port to input the fax message. However, this feature is deemed to be inherent to the *Selin* apparatus as the data terminal of *Selin* is a personal computer (see column 5 – lines 7-28) which has an input port for providing user with means to input data/commands.

Although *Selin* teaches a data terminal (see column 5 – lines 7-28, Personal Computer), *Selin* is silent about the various components of the Personal Computer, such as a nonvolatile memory. However, memory is deemed to be inherent to the *Selin* apparatus as lines 34-59 of column 3 shows that a Personal Computer provides various programs and commands, which indeed requires storage means. Also, a nonvolatile memory is essential for an operation of a

Personal Computer as it is used to store various types of data, which retains the data when power

is removed from it.

12.   **Referring to claim 12,** *Selin* teaches an interface to couple the application subsystem to

the wireless subsystem (see column 2 – lines 9-20; column 5 – lines 9-47; figure 2 –

ADAPTOR.)

13.   **Referring to claim 13,** *Selin* teaches that the interface comprises a serial interface (see

column 5 – lines 9-14.)

14.   **Referring to claim 14,** *Selin* teaches that the wireless subsystem comprises a digital

signal processor (see column 5– lines 48-55.)

15.   **Referring to claim 15,** *Selin* teaches that the wireless subsystem further comprises a

transmitter and a receiver (see column 2 – lines 33-53; column; column 3 – lines 32-37; column

1 – lines 47-50, "a transceiver".)

16.   **Referring to claim 16,** *Selin* teaches that the application subsystem is adapted to execute

a user application and process data provided with the input port (see column 2 – lines 9-11, "a

data terminal"; column 5 – lines 7-28, "Personal Computer"; column 2 – lines 33-53; column;

column 3 – lines 32-37)

        Although *Selin* teaches a fax message origination from the first processor, *Selin* is silent

about the use of an input port to input the fax message. However, this feature is deemed to be

inherent to the *Selin* apparatus as the data terminal of *Selin* is a personal computer (see column 5

– lines 7-28) which has an input port for providing user with means to input data/commands.

17.   **Referring to claim 18,** *Selin* teaches a method of processing a communication

comprising: providing data to an application subsystem through an input port (see column 2 –

lines 9-53; column 3 – lines 10-33); and providing data to a wireless subsystem through the input

port to initiate a wireless communication see column 2 – lines 9-53; column 3 – lines 10-33.)

Although *Selin* teaches a fax message origination from the first processor (see column 2 –

lines 33-53; column 3 – lines 10-33), *Selin* is silent about the use of an input port to input the fax

message. However, this feature is deemed to be inherent to the *Selin* apparatus as the data

terminal of *Selin* is a personal computer (see column 5 – lines 7-28) which has an input port for

providing user with means to input data/commands.

18.   **Referring to claim 19,** *Selin* teaches to provide data to the application subsystem

includes providing data though an interface (see column 2 – lines 9-20; column 5 – lines 9-47;

figure 2 – ADAPTOR; column 2 – lines 33-53; column 3 – lines 10-33.)

19.   **Referring to claim 20,** *Selin* teaches to provide data to the wireless subsystem includes

providing data through an interface (see column 2 – lines 9-20; column 5 – lines 9-47; figure 2 –

ADAPTOR; column 2 – lines 33-53; column 3 – lines 10-33.)

20.   **Referring to claim 21,** *Selin* teaches execute an application with the application

subsystem independently of the wireless subsystem (see column 2 – lines 9-20; column 5 – lines

9-47; column 2 – lines 33-53; column 3 – lines 10-33.)

Claim Rejections - 35 USC § 103

21.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

22.   Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Selin et al. U.S.

Patent Number: 5,903,849 (hereinafter referred to as "*Selin*") as applied to claim 1 above, and

further in view of Kaihlaniemi U.S. Patent Number: 6,370,591 (hereinafter referred to as

"*Kaihlaniemi*".)

23.   **Referring to claim 2,** *Selin* teaches an apparatus comprising a first processor and a

second processor (see *Selin* column 2 – lines 9-11, "a data terminal"; column 2 – lines 9-11,

"radio telephone"), however *Selin* is silent about a display, wherein the first processor and the

second processor are further adapted to display information on the display. *Kaihlaniemi* teaches a

display, wherein the first processor and the second processor are adapted to display information

on the display (see *Kaihlaniemi* column 4 – lines 16-33), to provide user with visual indication of

such things as remaining phone battery life, cellular field strength, and on-hook/off hook status.

        One of ordinary skill in the art at the time of applicant's invention would have clearly

recognized that it is quite advantageous for the apparatus of *Selin* to have a display to provide

user with various visual data. It is for this reason that one of ordinary skill in the art would have

been motivated to provide *Selin's* apparatus with a display, to offer user with visual indication of

such things as remaining radio telephone battery life, cellular field strength, and on-hook/off

hook status of a radio telephone.

24.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Selin et al. U.S.

Patent Number: 5,903,849 (hereinafter referred to as "*Selin*".)

25.   **Referring to claim 4,** *Selin* teaches the interface comprises a serial bus (see column 5 –

lines 9-14), *Selin* is silent about the bus being a Peripheral Components Interface bus. It would

have been obvious to one of ordinary skill in the art at the time of applicant's invention that it

was old and well known in the computer art to use Peripheral Components Interface (PCI) bus

because the PCI specification allows for multiplexing, a technique that permits more then one

electrical signal to be present on the bus at one time. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to use PCI bus as the serial bus to

permit more then one electrical signal to be present on the bus at one time.

Response to Arguments

26.   Applicant's arguments with respect to claims 1-21 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

27.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. The following documents have been made record of to further show the state of the

art as it pertains to system comprising a data terminal, mobile device and details of various

components of the data terminal and mobile device.

> Terho et al. U.S. Patent Number: 5,884,103
>
> Inkinen et al. U.S. Patent Number: 6,292,858
>
> Birch et al. U.S. Patent Number: 6,044,452
>
> McCleary et al. U.S. Patent Number: 6,662,031

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Niketa I. Patel whose telephone number is (703) 305 4893. The

examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeffrey A. Gaffin can be reached on (703) 308 3301. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305 3900.

NP

JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100